

Remarks

Claims 1-6, 8-10, and 12 have been cancelled. Claims 7, 13-14, and 16 have been amended.

Claim 7, written in Markush format, has been amended to limit to substitutions of Arg at position 218.

Claim 13 has been rewritten in independent form.

Claim 14 has been amended to depend from claims 7 or 13.

Claim 16 has been amended to depend from claims 7 or 13.

Rejection of Claims 1-10, 12-16 and 21 under 35 U.S.C. Section 112:

Claims 1-10, 12-16, and 21 were rejected under Section 112, first paragraph, allegedly for lack of enablement. Applicants' cancellation of claims 1-6, 8-10 and 12 render the rejection moot as to these claims. Applicants direct their remaining comments to remaining claims 7, 13-16, and 21.

The Examiner states:

“the specification, while being enabling for a FLINT analog having Arg at amino acid 218 of the protein of SEQ ID NO:1 substituted with another amino acid and resistant to proteolysis in vivo or a FLINT analog having Arg at amino acid 218 of the protein of SEQ ID NO:1 substituted with another amino acid and resistant to proteolysis by thrombin in vitro, does not reasonably provide enablement for FLINT analogs that are resistant to proteolysis (in vivo or in vitro) having the amino acid sequence of SEQ ID NO:1 except for replacement of amino acid 214, 215, 216, 217, 219, 220, 221, or 222 (or combinations thereof) with any other amino acid.

In the interest of expediting allowance Applicants have cancelled some of the rejected claims. Applicants reserve the right to later claim this subject matter. Applicants assert that the remaining claims are clearly allowable. Indeed, the Examiner acknowledges in her comments that the claimed invention *is enabled* as it relates to FLINT analogs in which the sequence at position 218 is substituted to produce a proteolytically-resistant FLINT molecule. Applicants respectfully request that the rejection be withdrawn against claims 7, 13-16, and 21, and that these claims be passed to issuance as soon as possible.

Serial No. 09/936,019
Reply to Office Action of Dec. 18, 2003

Respectfully submitted,



Thomas D. Webster, PhD
Attorney for Applicants
Registration No. 39,872
Phone: 317-276-3334

Eli Lilly and Company
Patent Division/TDW
P.O. Box 6288
Indianapolis, Indiana 46206-6288

May 21, 2004